

electromagnetic energy and create an intensification of "life force radiation"; that it would increase the activity of the central nervous system, activate the functions of the glands, normalize the circulation, dissolve foreign bodies, and accelerate their elimination; and that when the device was used as a supplement to regular treatment by a physician, it would be helpful as a relief and could speed and assure complete health in the following conditions: signs of old age, asthma, chronic conditions of joints, arteriosclerosis, diseases of the heart, gout, atrophy of muscles, weakness of nerves, kidney diseases, sleeplessness and conditions due to it, high blood pressure, sciatica, cramps, disturbances of circulation, paralysis caused by stroke, disturbances in liver and gall bladder, paralysis of nerves, neuralgia, rheumatic conditions, and metabolic disturbances. The device when used as directed, was not effective in the treatment of such diseases and conditions.

DISPOSITION: October 18, 1950. Default decree of condemnation and destruction.

3359. Misbranding of California Dri-Aire Lamp. U. S. v. 11 Devices, etc.
(F. D. C. No. 30347. Sample No. 78574-K.)

LIBEL FILED: January 4, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about March 10, April 4, and May 11, 1950, and on an unknown date prior to March 10, 1950, by Abbey Rents, from Los Angeles, Calif.

PRODUCT: 11 devices known as *California Dri-Aire Lamp* at Seattle, Wash., in possession of Abbey Rents, together with an accompanying display card entitled "The California Dri-Aire Lamp" and accompanying leaflets entitled "Desert Air Indoors."

Examination showed that the device consisted of a ceramic core heating element and metal reflector mounted on a stand which was adjustable as to height.

RESULTS OF INVESTIGATION: The display card was received 2 or more years before, from Abbey Rents, Portland, Oreg., or Los Angeles, Calif., and the leaflets were received from Abbey Rents, Los Angeles, Calif., sometime since September 1949. The display card was on display in the window of the consignee's place of business, and the leaflets were handed to potential customers.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the device and display card and in the leaflets were false and misleading. These statements represented and suggested that the device was an adequate and effective treatment for respiratory and circulatory ailments, colds, throat irritations, asthma, sinusitis, bronchitis, hay fever, child's coughs, colds, croup, whooping cough, or other breathing trouble, arthritis, bursitis, neuritis, aching muscles, rheumatic conditions, sacroiliac pain, neuralgia, tuberculosis, and weakening conditions; and that the device would promote health, impede the action of germs in the respiratory tract, clear respiratory passages for easier breathing, and remove moisture from the air. The device would not be an adequate and effective treatment for the conditions represented.

The devices were misbranded when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: January 22, 1951. Abbey Rents, Los Angeles, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for relabeling, under the supervision of the Federal Security Agency.